

Snell & Wilmer

L.L.P.

LAW OFFICES

One Arizona Center
Phoenix, Arizona 85004-2202
(602) 382-6000
Fax: (602) 382-6070
www.swlaw.com

RECEIVED
CENTRAL FAX CENTER

JAN 05 2005

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

FACSIMILE TRANSMISSION

DATE: January 5, 2005

TIME IN:
TIME OUT:

TO:

Name	Fax Number	Phone Number
Office of Initial Patent Examination Filing Receipt Corrections U.S. PATENT AND TRADEMARK OFFICE	(703) 872-9306	

FROM: Patrick L. Mixon

PHONE: 602-382-6274

RE: Application No. 10/810,473; Confirmation No. 9805

MESSAGE:

Second Request for Correction of Filing Receipt Data attached.

ORIGINAL DOCUMENT: Will be sent

NUMBER OF PAGES (Including Cover): 8

CONFIRMATION NO.:

CLIENT MATTER NO.: 60655.1400

PLEASE RETURN TO: Beverly Fletcher, 16S12

PERSONAL FAX: No

REQUESTOR:

Patrick Mixon

DIRECT LINE:

602-382-6274

IF YOU HAVE NOT PROPERLY RECEIVED THIS TELECOPY, PLEASE CALL US AT (602) 382-6075.
OUR FACSIMILE NUMBER IS (602) 382-6070.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

155080&3

**RECEIVED
CENTRAL FAX CENTER**

JAN 05 2005

CERTIFICATE OF FACSIMILE/MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. §1.8, are being sent via facsimile to (703) 872-9306 with a confirmation copy deposited with the United States Postal Service via First Class mail addressed to: Office of Initial Patent Examination, Filing Receipt Corrections, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 5, 2005By: 
Beverly FletcherPATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant(s): **Michael J. Berardi, et al.**Atty. Docket No.: **60655.1400**Serial No.: **10/810,473**; Confirmation No.: **9805**Examiner **TBA**Date Filed: **March 26, 2004**Group Art Unit: **2635**Title: **SYSTEM AND METHOD FOR ENCODING INFORMATION IN
MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY
IDENTIFICATION TRANSACTIONS****SECOND REQUEST FOR CORRECTION OF FILING RECEIPT DATA**

Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Thank you for the Filing Receipt for the above-identified nonprovisional patent application.

On the Filing Receipt, please correct the errors in the Domestic Priority data. Please add the following information to the Domestic Priority data: "a CIP of 10/340,352 01/10/2003 which claims benefit of 60/396,577 07/16/2002", as noted in the Preliminary Amendment filed herewith, a copy of which is attached.

The above corrections are noted on the enclosed copy of the original filing receipt.

We look forward to receiving a corrected Filing Receipt for this application.

AMEX No. 200301730
1617316

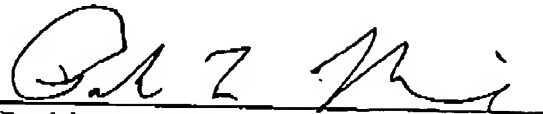
1

Serial No. 10/810,473
Docket No. 60655 1400

Should you have any questions, please do not hesitate to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 5, 2005

By 
Patrick L. Mixon
Reg. No. 47,801

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Telephone: (602) 382-6274
Facsimile: (602) 382-6070
email: pmixon@swlaw.com

Title

System and method for encoding information in magnetic stripe format for use in radio frequency identification transactions ✓

Preliminary Class

340

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

CERTIFICATE OF FACSIMILE/MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. §1.8, are being sent via facsimile to (703) 872-9306 with a confirmation copy deposited with the United States Postal Service via First Class mail addressed to: Box: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 5, 2005By: 

Beverly Fletcher

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): **Michael J. Berardi, et al.** Atty. Docket No.: **60655.1400**
Serial No.: **10/810,473**; Confirmation No.: **9805** Examiner **TBA**
Date Filed: **March 26, 2004** Group Art Unit: **2635**
Title: **SYSTEM AND METHOD FOR ENCODING INFORMATION IN
MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY
IDENTIFICATION TRANSACTIONS**

PRELIMINARY AMENDMENT**RECEIVED
CENTRAL FAX CENTER****JAN 05 2005**

Box: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Dear Sir:

The Applicants respectfully request entry of the following preliminary amendment, prior to examination and publication of the above-identified application. No new matter is submitted with the proposed amendment.

AMEX No. 200301730
1569733

1

Serial No. 10/810,473
Docket No. 60655.1400

PRELIMINARY AMENDMENT

Please replace the first paragraph of the application under "Related Applications" with the following new Paragraph:

"This invention is a continuation-in-part of, and claims priority to U.S. Patent Application No. 10/192,488, entitled "SYSTEM AND METHOD FOR PAYMENT USING RADIO FREQUENCY IDENTIFICATION IN CONTACT AND CONTACTLESS TRANSACTIONS," filed on July 9, 2002 (which itself claims priority to U.S. Provisional Patent Application No. 60/304,216, filed July 10, 2001), and is also a continuation-in-part of and claims priority to U.S. Patent Application No. 10/340,352, entitled "SYSTEM AND METHOD FOR INCENTING PAYMENT USING RADIO FREQUENCY IDENTIFICATION IN CONTACT AND CONTACTLESS TRANSACTIONS," filed January 10, 2003 (which itself claims priority to U.S. Provisional Patent Application No. 60/396,577, filed July 16, 2002), all of which are incorporated herein by reference."

REMARKS

The Applicants hereby submit this Preliminary Amendment in the above noted application. The proposed preliminary amendment corrects the recitation of Related Applications to which the present application claims priority. Applicants request entry of the Amendment prior to Examination.

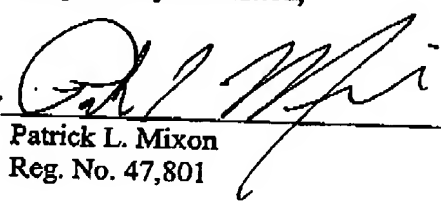
The Examiner is permitted to charge any additional fees regarding this amendment, or credit any overpayment, to deposit account No. 19-2814. A duplicate copy of this request is enclosed for your use.

Should the Examiner wish to discuss any of the above in greater detail or deem that amendments should be made to improve the form of the application or petition, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

Date: January 5, 2005

By


Patrick L. Mixon
Reg. No. 47,801

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Telephone: (602) 382-6228
Facsimile: (602) 382-6070
email: pmixon@swlaw.com

AMEX No. 200301730
1569733

3

Serial No. 10/810,473
Docket No. 60655.1400